

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESale PRICE
LITIGATION

)
) MDL NO. 1456
) Civil Action No. 01-12257-PBS
) Subcategory Case No. 03-10643-PBS
)

THIS DOCUMENT RELATES TO:

) Judge Patti B. Saris
)

The City of New York, et al.,

v.

Abbott Laboratories, et al.

**DECLARATION OF LAUREN O. CASAZZA TRANSMITTING DEPOSITION
TESTIMONY AND DOCUMENTS RELIED UPON IN SUPPORT OF DEFENDANT
BOEHRINGER INGELHEIM ROXANE, INC.'S RESPONSE
TO PLAINTIFFS' LOCAL RULE 56.1 STATEMENT OF UNDISPUTED
MATERIAL FACTS AS TO BOEHRINGER INGELHEIM ROXANE, INC.**

- I, the undersigned Lauren O. Casazza, submit this Declaration. I have personal knowledge of the following facts:
1. I am a partner of the law firm Kirkland & Ellis LLP, counsel to Defendant Boehringer Ingelheim Roxane, Inc.
 2. Attached to this Declaration as Exhibit A is a true and correct copy of excerpts from the transcript of the deposition of Judy Waterer dated December 12, 2008.
 3. Attached to this Declaration as Exhibit B is a true and correct copy of excerpts from the transcript of the deposition of Judy Waterer dated May 9, 2007.

I declare under penalty of perjury under laws of the United States of America that the foregoing is true and correct.

Dated: June 29, 2009

Respectfully submitted,

/s/ Lauren O. Casazza
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CERTIFICATE OF SERVICE

I hereby certify that on June 29, 2009, I caused a true and correct copy of the foregoing to be served on all counsel of record by electronic service pursuant to Case Management Order No. 2 entered by the Honorable Patti B. Saris in MDL 1456.

s/ Lauren O. Casazza
Lauren O. Casazza